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APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
09/512,576	02/24/2000	Richard Crump	2204/A12(BA375)	5786

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EXAMINER

VU, THONG H

ART UNIT	PAPER NUMBER
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2142

DATE MAILED: 07/17/2003

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Please find below and/or attached an Office communication concerning this application or proceeding.

Office Action Summary

Application No.

09/512,576

Applicant(s)

CRUMP, RICHARD

Examiner

Thong H Vu

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-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --

Period for Reply

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE 3 MONTH(S) FROM THE MAILING DATE OF THIS COMMUNICATION.

- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If the period for reply specified above is less than thirty (30) days, a reply within the statutory minimum of thirty (30) days will be considered timely.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133).
- Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

Status

- 1) ☒ Responsive to communication(s) filed on 24 February 2000.
- 2a) ☐ This action is **FINAL**. 2b) ☒ This action is non-final.
- 3) ☐ Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

Disposition of Claims

- 4) ☒ Claim(s) 1-13 is/are pending in the application.
- 4a) Of the above claim(s) _____ is/are withdrawn from consideration.
- 5) ☐ Claim(s) _____ is/are allowed.
- 6) ☒ Claim(s) 1-13 is/are rejected.
- 7) ☐ Claim(s) _____ is/are objected to.
- 8) ☐ Claim(s) _____ are subject to restriction and/or election requirement.

Application Papers

- 9) ☐ The specification is objected to by the Examiner.
- 10) ☐ The drawing(s) filed on _____ is/are: a) ☐ accepted or b) ☐ objected to by the Examiner.
- Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).
- 11) ☐ The proposed drawing correction filed on _____ is: a) ☐ approved b) ☐ disapproved by the Examiner.
- If approved, corrected drawings are required in reply to this Office action.
- 12) ☐ The oath or declaration is objected to by the Examiner.

Priority under 35 U.S.C. §§ 119 and 120

- 13) ☐ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).
- a) ☐ All b) ☐ Some * c) ☐ None of:
1. ☐ Certified copies of the priority documents have been received.
2. ☐ Certified copies of the priority documents have been received in Application No. _____.
3. ☐ Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).
- * See the attached detailed Office action for a list of the certified copies not received.
- 14) ☐ Acknowledgment is made of a claim for domestic priority under 35 U.S.C. § 119(e) (to a provisional application).
- a) ☐ The translation of the foreign language provisional application has been received.
- 15) ☐ Acknowledgment is made of a claim for domestic priority under 35 U.S.C. §§ 120 and/or 121.

Attachment(s)

- 1) ☒ Notice of References Cited (PTO-892)
- 2) ☒ Notice of Draftsperson's Patent Drawing Review (PTO-948)
- 3) ☐ Information Disclosure Statement(s) (PTO-1449) Paper No(s) _____
- 4) ☐ Interview Summary (PTO-413) Paper No(s). _____
- 5) ☐ Notice of Informal Patent Application (PTO-152)
- 6) ☐ Other:

1. Claims 1-13 are pending.

Claim Rejections - 35 USC § 103

The following is a quotation of 35 U.S.C. 103(a) which forms the basis for all obviousness rejections set forth in this Office action:

(a) A patent may not be obtained though the invention is not identically disclosed or described as set forth in section 102 of this title, if the differences between the subject matter sought to be patented and the prior art are such that the subject matter as a whole would have been obvious at the time the invention was made to a person having ordinary skill in the art to which said subject matter pertains. Patentability shall not be negated by the manner in which the invention was made.

2. Claims 1-11 are rejected under 35 U.S.C. § 103 as being unpatentable over Laursen et al [Laursen 5,805,803] in view of Benning et al [Benning 5,917,823]
3. As per claim 6, Laursen discloses a network device [client devices, col 5 line 57- col 64] comprising:
 - connection-oriented client logic [client program, col 6 lines 8-14, col 7 lines 16-40, col 8 lines 12-24]];
 - binding logic [binding information col 20 lines 34-67]; and
 - driver logic [remote procedure call, col 8 lines 12-24], wherein the driver logic is operably coupled to create a communication channel for the connection-oriented client logic [establish connection, col 16 lines 53-59; establish virtual circuit, col 18 lines 29-35]. Laursen also taught a connection service table on server using client logical address which includes an identifier to provide the binding between channels [col 21 lines 1-35]

However Laursen did not detail the communication channel having a channel and wherein the binding logic is operably coupled to bind the connection-oriented client logic and the communication channel using the channel identifier.

A skilled artisan would have motivation to modify the binding process using an identifier and found Benning teaching. Benning taught a routing software for X.25 engine established permanent virtual connection by using the X.25 packets with a connection identifier [Benning col10 lines 5-17]

Therefore, it would have been obvious to one having ordinary skill in the art at the time the invention was made to incorporate the routing software which provides X.25 packet with a channel/connection identifier on router or client device as taught by Benning into the Laursen's apparatus in order to utilize the client program and binding logic. Doing so would provide a quick, simple and reliable access for storing, routing and retrieving multimedia data in a network.

4. Claims 1,8,10, contain the similar limitations set forth of apparatus claim 6.

Therefore, claims 1,8,10, are rejected for the similar rationale set forth in claim 6.

5. As per claim 2, Laursen-Benning disclose the communication channel is an X.25 logical channel [Laursen col 13 lines 47-58, col 17 lines 1-4], and wherein the channel identifier is an X.25 channel identifier [Benning col10 lines 5-17].

6. As per claim 3, Laursen-Benning disclose binding the communication channel to the connection-oriented client [Laursen col 17 lines 52-56, col 20 lines 34-67] based upon the channel identifier comprises including the channel identifier in binding messages [Benning col10 lines 5-17].

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7. As per claim 4, Laursen-Benning disclose forwarding data by the connection oriented client over the communication channel [forward, Laursen col 14 lines 22-40] based upon the channel identifier [Benning col10 lines 5-17].
8. As per claim 5, Laursen-Benning disclose forwarding data from the communication channel to the connection-oriented client [forward, Laursen col 14 lines 22-40] based upon the channel identifier [Benning col10 lines 5-17].
9. As per claim 7, Laursen-Benning disclose the driver logic includes X.25 logic for creating an X.25 communication channel having an X.25 channel identifier [Benning col10 lines 5-17], and wherein the binding logic binds the connection-oriented client and the X.25 communication channel using the X.25 channel identifier [Benning col10 lines 5-17].
10. As per claim 9, Laursen-Benning disclose the driver logic includes X.25 logic for creating an X.25 communication channel having an X.25 channel identifier [Benning col10 lines 5-17], and wherein the binding logic binds the connection-oriented client and the X.25 communication channel using the X.25 channel identifier [Benning col10 lines 5-17].
11. As per claim 11, Laursen-Benning disclose a method comprising:
 - registering to receive a call by a connection-oriented client [registered, Laursen col 19 lines 25-35];
 - receiving a call by a driver [driver, Benning col 4 lines 49-53];
 - creating a channel by the driver, the channel having a channel identifier [Benning col10 lines 5-17]; and

binding the channel to the connection-oriented client based upon the channel identifier [Benning col10 lines 5-17].

Claim Rejections - 35 USC § 102

The following is a quotation of the appropriate paragraphs of 35 U.S.C. 102 that form the basis for the rejections under this section made in this Office action:

A person shall be entitled to a patent unless –

(e) the invention was described in (1) an application for patent, published under section 122(b), by another filed in the United States before the invention by the applicant for patent or (2) a patent granted on an application for patent by another filed in the United States before the invention by the applicant for patent, except that an international application filed under the treaty defined in section 351(a) shall have the effects for purposes of this subsection of an application filed in the United States only if the international application designated the United States and was published under Article 21(2) of such treaty in the English language.

12. Claims 12-13 are rejected under 35 U.S.C. § 102(e) as being anticipated by

Benning et al [Benning 5,917,823]

13. As per claim 12, Benning discloses a binding message for binding a connection-oriented client and a communication channel, the binding message comprising a channel identifier for the communication channel [Benning col10 lines 5-17].

14. As per claim 13, Benning discloses the communication channel is an X.25 logical channel, and wherein the channel identifier is an X.25 channel identifier [Benning col10 lines 5-17].

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15. Any inquiry concerning this communication or earlier communications from the examiner should be directed to examiner Thong Vu, whose telephone number is (703)-305-4643.

The examiner can normally be reached on Monday-Thursday from 8:00AM- 4:30PM.

If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, Mark Powell, can be reached at (703) 305-9703.

Any inquiry of a general nature or relating to the status of this application should be directed to the Group receptionist whose telephone number is (703) 305-9700.

Any response to this action should be mailed to: Commissioner of Patent and Trademarks, Washington, D.C. 20231 or faxed to :

After Final (703) 746-7238

Official: (703) 746-7239

Non-Official (703) 746-7240

Hand-delivered responses should be brought to Crystal Park 11,2121 Crystal Drive, Arlington. VA., Sixth Floor (Receptionist).

Thong Vu
Patent Examiner
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